

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES DISTRICT COURT
EASTERN MASSACHUSETTS DIVISION
JOHN JOSEPH MOAKLY BUILDING
1 COURTHOUSE WAY
BOSTON, MASSACHUSETTS

NEAL A. COWE)
PLAINTIFF)
)
V)
)
COMMONWEALTH OF)
MASSACHUSETTS)
BOSTON POLICE DEPT.)
(Brighton Division))
)
DZHOKHAR TSARNAEV)
And another)
DEFENDANTS)

CIVIL ACTION
CASE NUMBER
OBSTRUCTION OF JUSTICE
NEGLIGENCE
ABUSE OF AUTHORITY
ASSAULT & BATTERY
ON A PERSON 60+ YRS
CRIMINAL FRAUD

COMPLAINT

The Parties

- [1.] The plaintiff Neal A. Cowe is a citizen of The United States of America And resides at 1136 North Park wood Dr. Clayton County Forest Park Georgia 30297.
- [2.] The Defendant Commonwealth of Massachusetts Boston Police Department (Brighton Division) 301 Washington St, with Headquarters Located at 1 City Hall Plaza Boston, Massachusetts 02109.
- [3.] The Defendant Dzhokhar Tsarnaev is in Federal Custody awaiting Trial at Fort Devens Military Base located in Northern Middlesex County @ Ayer, Massachusetts 01434.

CONTROVERSIAL DOLLAR AMOUNT

- [4.] The plaintiff states that he has met the Controversial dollar amount of \$75,000.00 dollars in Lost Wages & Medical expenses that continue.

JURISDICTION

- [5.] The Plaintiff states the Federal District Court has Jurisdiction of this matter Under U.S.C. § 1331 in Criminal, Territorial & Personal Jurisdiction of this Case (D. Tsarnaev) remains in a detention Center under Federal Custody at Ft. Devens Military base Ayer, Massachusetts.

BACKGROUND

- [6.] On or about June 15, 2010 The Plaintiff drove from Atlanta, Georgia to Boston, Massachusetts 02134, for work at 151 Harvard Ave. Allston, Ma. Being The Basic Carpet & Furniture Company for 20 years Off & On.
- [7.] He arrived before midnight, June 9, prompted Neal A. Cowe to get some rest In the Back of his Delivery van behind this store in the City of Boston Municipal parking lot.

COUNT I

- [8.] At approximately 2:00 A.M. the bar “Harper’s Ferry” closed for the night Shortly thereafter 3 drunken men left the rear entrance of that bar which Lead into The City of Boston municipal parking lot in which “Cowe” was Asleep in his Motor vehicle when he was terrorized by someone being Loud & Obnoxious banging on the side of his panel delivery Van.

- [9.] As he was waiting for his work place to open up one of the men Dzhokhar Tsarnaev had Pounded on the side of his vehicle and woke him up and Verbally Assaulted & and Terrorized him without any Cause, from a dead Sleep, Embolden by his actions found out his Waltham Karate Lessons failed Him on a 62 year old man who was in fairly good shape, from lifting carpet.
- [10.] An argument had ensued in which "Cowe" confronted the men about their Unprovoked actions against his person and property did not go to work but Rather to the Brighton Police Dept. bent over in pain, The Boston Police Knew "Cowe" was severely injured but failed to assist him in any way.
- [11.] This argument led to a confrontation which spilled out of the parking lot On to Harvard Ave. in which the passenger on the driver's side exited the Back seat of the Vehicle with the Massachusetts Registration (tag) Number Of 62TV39, which was (Dzhokhar) who insisted that "Cowe" come out of His vehicle despite the warnings he was given about the dogs they awoke, as They continued their barking.
- [12.] Despite those verbal warnings (Dzhokhar) continued to provoke a situation Insisting "Cowe" come out of the vehicle, repeated "Fight him like a Man." So "Cowe" exited the vehicle as he did (Dzhokhar) tried to slam the door he Was exiting on him, with that "Cowe" then pounded him into the ground Until (Tamerlan) & Another pulled him off as they did (Dzhokhar) came up From underneath and ruptured "Cowe's" Appendix and Demands Compensation in the Amount of \$1,500,000.00 Dollars.

COUNT II

- [13.] Upon entering the Cambridge Hospital "Cowe" awaited surgery in the most Painful condition possible until the following day where the Emergency Appendectomy, by (Laparoscopy) which failed to be the correct process Woke up (3) days later on a ventilator, Continually being put back under Anesthetics for the next several days. Where his family didn't know whether He was going to "Live or Die."

- [14.] Eventually “Cowe” was released to the care of his Sister’s home and made a Partial Recovery in the next several months. The recovery was short lived as He had travelled back to Atlanta, Ga. he relapsed into not being able to hold Down solid food again and would eventually not even hold down water.
- [15.] Emergency Surgery was performed at The Piedmont Henry Hospital in Stockbridge Ga. By Dr. Gregg Erdelyn where a mesh was inserted into his Abdomen and so severe of an injury it in [F]act took triple mesh due to the Excessive surgeries performed at Cambridge Hospital at the onset of his Injury.
- [16.] The triple mesh inserts would eventually fail and “Cowe” was left with a Severe if not ridiculous looking stomach ponch that continues to give him Trouble to this day, by a total disfigurement by its appearance and will need The Mesh removed at some point, Cannot lift at all and continues on a soft Food diet Demands Compensation in the amount of \$1,500,000.00 dollars.

COUNT III

- [17.] The Boston Police Department at the Brighton Division wrote the incident Report in which they ran the license plate that was supplies by “Cowe” but Never did anything about this except made a single phone call in the middle Of the night on June 11, 2010 as the report was being filed, conflicted as to The vehicle used in Allston and the one appearing on the Police teletype, Told Maura A. Byrne that most likely had Attached the license plate tags, Where the Police Report is without any description of a motor vehicle.
- [18.] Brighton Police Stated to “Cowe” that the vehicle was registered to A Holliston, Massachusetts resident and said that they had called The Holliston Police Department as “Cowe” waited for an answer as to the Registered owner and the Insurer of the vehicle that transported the (3) Drunken Felons in a late model Ford Country Squire Station Wagon as Being (Blue) in Color did not match an S.U.V. being (Beige) in Color, Does not coincide with what “Cowe” had told Police. Report says CAR.

- [19.] Had the Brighton Police been Honest & Truthful to “Cowe” the three (3) Would have been Arrested & Summoned to Court to answer charges and the Insurance carrier would have been Identified along with the Suspects who Were on a Terror Watch List failed to watch them in any fashion.
- [20.] In an earlier Police Report in (2004) to Brighton Police Department Cowe Told Police he was asleep in his motor vehicle, and in the middle of the Night his driver’s door was opened, Someone entered his vehicle where Cowe gave Chase catching him didn’t know Boston Police had (5) subjects Already in Custody on Riverdale rd. Allston, Ma., 02134.
- [21.] Boston police were called to 78 Brentwood Rd. in the middle of the night On a Complaint that someone had entered his vehicle while he slept from Missing his home curfew was locked out of the house. Thieves had taken Several car radio’s over the previous few weeks and Brighton Police were Unable to find the parties responsible. But “Cowe” had caught (1). Police Report Said the Call was about a fight but is False Information on a B&E.
- [22.] The 6/11/10 Brighton Police report sloppy incomplete waste of plain white Paper and the officer’s time who wrote it up. Because Allston-Brighton is A “College Town” Police are sometimes overwhelmed in Reports of Theft Assault occurring in the middle of the night, but are unwilling to confront The situation head on, even when they do have Supporting [Facts] failed To investigate in a sanctuary setting and influx of students with Visas who Overstay their time limit, after finding work.
- [23.] The Massachusetts trial Courts Ignore a matter of Poor Public Policy, being Negligent of Enforcing (§) Statutory[L]aws (by Nole Pros) already on the Books placing the general population at risk from out Side sources beyond Their control, found Brighton Police were paid for their service but did Nothing (investigate) or to Protect him had no intension of serving the General Public as required by the affirmation of the [L]aw Demands Compensation in the Amount of \$1,500,000.00 dollars

COUNT IV

- [24.] If Boston Police even remotely looked into either of “Cowe’s claims they Would have been aware of the changing climate of an lawlessness emerging That was changing the landscape of Suburban Boston and would forever Had changed The Boston Marathon, as “Cowe” knew immediately when Television Broadcaster’s put up the faces on (TV) of the alleged Bombers “He recognized” both perpetrators without hesitation or reservation, BUT Still feels there’s a missing piece of the unknown driver and his vehicle Id., Boston Police failed to assist and or follow up on a crime against the elderly Denied “Cowe” his Constitutional rights guaranteed under Massachusetts State [L]aws.
- [25.] In the 2004 incident Boston Police Detectives had been driving around the Neighborhood after a rash of calls alerting Brighton Police to Car’s being Broken into overnight and now missing their Radios, happen by chance to Stop by 78 Brentwood Rd. after seeing several of the residents along with “Cowe” outside the residents were threatened by Arrest & Prosecution Boston Police Detectives as to the “Radio Robberies” of the last several Weeks that about every other night a parked car was vandalized where Residents had their Radio Ripped out of their vehicles.
- [26.] Mr. Cowe being present spoke to Detectives and explained that the “Crew” And himself were just Carpet layers & Furniture movers who worked on Harvard Ave. for the past 20 years and that it was US being victimized by Unknown night people entering the neighborhood most likely the “Illegals” That had in fluxed the area in the past several years, usually ending with fist Fights provoked by them to get out of a tight situation they were caught in.
- [27.] The assumption was correct since there had been other incidents of the Drunkenness and Fights on Harvard Ave. including unsolved Murders And Rape of College students that almost always went unresolved, in a Radio case the “Illegal’s” were known in the neighborhood and actually Lived on the next Street over from Basic Carpet & Furniture, Linden St.

Brighton Police & Suffolk County Prosecutors just plain let them go, with no Intention of ever serving up any Justice Abused their Authority Demands Compensation in the Amount of 5,000,000.00 dollars.

[28.] In the Second Brighton police report which happened on Sept. 23, 2004 The Boston Police (Brighton Division) stood up for the rights of the night Time Trespassers, and wrote it off as a Drunken Mistake, but as nice tries Go unpunished, there is no possible way the (6) taken into Police custody DID NOT all fit into a Honda Civic (see report 1 of 1.) Each Police car had An Individual occupant, lined up on Riverdale Rd. after Brighton Police Felt they had solved the Radio Robberies, additionally the residents knew That nothing had been done by The Court, the abandon vehicle wasn't even TOWED AWAY and the (2) already in the Honda Civic walked way making A total of (8) to fit into a four seat car is highly doubtful.

AMENDMENT TO THE COMPLAINT


[29.] The plaintiff reserves all of his rights to Amend the Complaint.

PRAYER

[30.] With all of its wisdom and Justice the plaintiff asks that this case be Evaluated In a fair and impartial way, with the rights of the Legal Hardworking Citizens of The United States of America in mind as Provided by Law.

[31.] The following Statements are believed to be True & Correct to the best Of my knowledge under the pains and penalty of Perjury

6-10-14

Bro Se'

Neal A. Cowe
75 Birch St.
Old Bridge, New Jersey
08857
1-732-853-9646



William B. Evans, Police Commissioner

INCIDENT REPORT

ORIGINAL		STATUS: APPROVED			
KEY SITUATIONS		COMPLAINT NO.	RPT DIST.	CAD RA	RPT RA
NONE		100367348	D14	794	794
UCR INCIDENT DESCRIPTION		UCR FINAL INCIDENT DESCRIPTION		STATUS	DATE OCCURRED FROM
ASSAULT & BATTERY		ASSAULT & BATTERY			06/11/2010
LOCATION OF INCIDENT		APT	DISPATCH TIME	TIME OCCURRED FROM	TIME OCCURRED TO
170 HARVARD AV				02:30 AM	
NEIGHBORHOOD		TYPE OF BUILDING		PLACE OF ENTRY	WEATHER
ALLSTON					LIGHTING
					OUTSIDE - NIGHT - STREET LIGHTS
TYPE OF WEAPON/TOOL		SUSPECT MODE OF TRANSPORTATION		VICTIM'S ACTIVITY	
HANDS		CAR			
UNUSUAL ACTIONS AND STATEMENTS OF PERPETRATOR					
PERSONS	1 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.
	VICTIM		COWE, NEAL		BOOKING NO.
	ALIAS		ADDRESS		DOCKET NO.
			42 HOOPER ROAD, DEDHAM MA 02026-0000		
	HEIGHT	WEIGHT	BUILD	HAIR	EYES
	0-00	000	N/A		
OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1	CONTACT #2
CARPET LAYER				(617)-230-4684	(000)-000-0000
SPECIAL CHARACTERISTICS(INCLUDING CLOTHING)					
PERSONS	2 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.
	REPORTER		SAME		BOOKING NO.
	ALIAS		ADDRESS		DOCKET NO.
	HEIGHT	WEIGHT	BUILD	HAIR	EYES
OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1	CONTACT #2
SPECIAL CHARACTERISTICS(INCLUDING CLOTHING)					
PERSONS	3 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.
	OFFENDER		?		BOOKING NO.
	ALIAS		ADDRESS		DOCKET NO.
	HEIGHT	WEIGHT	BUILD	HAIR	EYES
	5-07	507	STOCKY	DARK BROWN	
OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1	CONTACT #2
				(000)-000-0000	(000)-000-0000
SPECIAL CHARACTERISTICS(INCLUDING CLOTHING)					
FRONT SEAT PASSENGER					
PERSONS	4 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.
	OFFENDER		?		BOOKING NO.
	ALIAS		ADDRESS		DOCKET NO.
	HEIGHT	WEIGHT	BUILD	HAIR	EYES
	5-05		MEDIUM	BLACK	
OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1	CONTACT #2
				(000)-000-0000	(000)-000-0000
SPECIAL CHARACTERISTICS(INCLUDING CLOTHING)					
DRIVER OF VEHICLE					

PERSONS	5	TYPE OFFENDER	NAME (LAST, FIRST, MI) ?	S.S. NO.	BOOKING NO. 0	DOCKET NO.	
	ALIAS		ADDRESS		GENDER MALE	RACE ASIAN	DOB 0
	HEIGHT 5-03	WEIGHT	BUILD THIN	HAIR BLACK		EYES	
	OCCUPATION		MARITAL STATUS	EMAIL ADDRESS		CONTACT #1	CONTACT #2
SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)							
BACK SEAT PASSENGER							
VEHICLES	STATUS N/A	REG. STATE MA	REG. NO. 62TV39	PLATE TYPE N/A	YEAR (EXP) 0	MODEL	
	VEHICLE MAKE YEAR 0	V.I.N.	STYLE SUV	COLOR (TOP-BOTTOM) BROWN -			
	OPERATOR'S NAME		LICENSE NO.	STATE	OPERATOR'S ADDRESS		
	OWNER'S NAME		OWNER ADDRESS				
NARRATIVE AND ADDITIONAL INFORMATION							
<p>Mr. Cowe came into District 14 to report that he was involved in an altercation with three unknown males on Harvard Avenue in Allston at about 2:30 A.M. on 6/11/2010. He states that he was in his van in the City lot behind Blanchard's Liquors when one of the males came up from behind and punched the passenger side door of his truck (GA Reg BKQ5104 - 1995 GMC 3500 - van - color green). He did not see which of them did it but he did confront them about it and they all denied it. Mr. Cowe then followed them as they left the lot onto Harvard Avenue. He states that they were in a small brown SUV possibly a Honda or a Toyota with possible plate of 62TV39 and that an Asian male was operating the vehicle. Once out of the lot on Harvard Avenue the brown SUV stopped and the rear seat passenger who was an Asian male got out and approached Mr. Cowe in his van. Mr. Cowe said that they had words and then Mr. Cowe attempted to exit his van at which time the Asian male slammed the van's door on him. Mr. Cowe said that he and the Asian male then exchanged punches. The Asian male then shoved him up against his van causing a back and other internal injury to Mr. Cowe. The driver and other passenger of the SUV were not involved in this part of the incident. Mr. Cowe states that he then got back in his van left the scene.</p>							
UNIT ASSIGNED KD96	SHIFT 1	REPORTING OFFICER'S NAME MAURA A BYRNE			REPORTING OFFICER'S ID 11673	PARTNER'S ID 0	
SPECIAL UNITS NOTIFIED (REPORTING)							
AREA D-14							
DATE OF REPORT 07/08/2010		TIME COMPLETED 12:58 AM		APPROVING SUPERVISOR NAME RICHARD J HOUSTON		APPROVING SUPERVISOR ID 10543	



William B. Evans, Police Commissioner

INCIDENT REPORT

ORIGINAL						STATUS: APPROVED	
KEY SITUATIONS		COMPLAINT NO. 040511850	RPT DIST. D14	CAD RA 811	RPT RA	CLEAR. DIST.	
UCR INCIDENT DESCRIPTION INVESTIGATE PERSON		UCR FINAL INCIDENT DESCRIPTION INVESTIGATE PERSON		STATUS		DATE OCCURRED FROM 09/23/2004	DATE OCCURRED TO
LOCATION OF INCIDENT RIVERDALE ST/RAYMOND ST		APT	DISPATCH TIME 02:57 AM	TIME OCCURRED FROM 02:55 AM		TIME OCCURRED TO	
NEIGHBORHOOD COMMERCIAL & RESIDENTIAL	TYPE OF BUILDING	PLACE OF ENTRY		WEATHER CLEAR	LIGHTING ARTIFICIAL		
TYPE OF WEAPON/TOOL	SUSPECT MODE OF TRANSPORTATION	VICTIM'S ACTIVITY		SUSPECT RELATIONSHIP TO VICTIM			
UNUSUAL ACTIONS AND STATEMENTS OF PERPETRATOR							
PERSONS	1 TYPE VICTIM		NAME (LAST, FIRST, MI) COWE, NEAL		S.S. NO.	BOOKING NO. 0	DOCKET NO.
	ALIAS		ADDRESS 78 BRENTWOOD, ALLSTON MA 02134-0000		GENDER MALE	RACE WHITE NON-HISPANIC	DOB 11/02/1949
	HEIGHT	WEIGHT	BUILD N/A	HAIR	EYES		
	OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1 (617)-254-9448		CONTACT #2
	SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)						
PERSONS	2 TYPE REPORTER		NAME (LAST, FIRST, MI) SAME		S.S. NO.	BOOKING NO. 0	DOCKET NO.
	ALIAS		ADDRESS		GENDER	RACE	DOB 0
	HEIGHT	WEIGHT	BUILD	HAIR	EYES		
	OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1		CONTACT #2
	SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)						
PERSONS	3 TYPE OFFENDER		NAME (LAST, FIRST, MI) BORILLA, JOSE LUIS		S.S. NO.	BOOKING NO. 0	DOCKET NO.
	ALIAS		ADDRESS 15 LINDEN ST, ALLSTON MA 02134-0000		GENDER MALE	RACE WHITE HISPANIC	DOB 11/26/1977
	HEIGHT 5-07	WEIGHT 165	BUILD SLIM	HAIR BLACK	EYES BROWN		
	OCCUPATION		MARITAL STATUS	EMAIL ADDRESS	CONTACT #1		CONTACT #2
	SPECIAL CHARACTERISTICS (INCLUDING CLOTHING) BLUE SHIRT BLACK JEANS						
NARRATIVE AND ADDITIONAL INFORMATION:							
<p>RECIEVED RADIO CALL FOR FIGHT AT RIVERDALE/ RAYMOND ST. UPON ARRIVAL SPOKE TO VICTIM WHO STATED THAT SUSPECT OPENED THE DOOR TO HIS M/V AND GAVE CHASE. VICTIM STATED THAT DOOR WAS UNLOCKED AND NO DAMAGE WAS DONE TO M/V. SUSPECT WAS DK AND ATTEMPTED TO GET INTO THE WRONG M/V WHICH WAS PARKED BEHIND CALLERS M/V. IT WAS BELIEVED THAT THIS WASNT A B/E BUT A MISTAKE CAUSED BY TO MUCH CONSUMPTION OF ALCHOLIC BEVERAGE.</p>							
UNIT ASSIGNED K415A	SHIFT 1	REPORTING OFFICER'S NAME EDWIN DEJESUS			REPORTING OFFICER'S ID 11306		PARTNER'S ID 0
SPECIAL UNITS NOTIFIED (REPORTING)							
DATE OF REPORT 09/23/2004		TIME COMPLETED 03:55 AM		APPROVING SUPERVISOR NAME WILLIAM CROWDER		APPROVING SUPERVISOR ID 6934	